

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEVI JOSEPH CULVER,

Defendant.

22-40066

REQUEST FOR NOTICE
PURSUANT TO FED. R. EVID. 609(b)

The Defendant, by and through their undersigned attorney, Assistant Federal Public Defender Matthew M. Powers, requests that the U.S. Attorney provide the undersigned with notice, pursuant to FED. R. EVID. 609(b), of any conviction or convictions with respect to which a period of more than ten (10) years has elapsed since the date of the conviction, which the United States intends to offer at trial for the purpose of attacking the credibility of the Defendant or any witness, sufficiently in advance of trial so the Defendant is afforded a fair opportunity to contest the use of the evidence. The Defendant requests that notice of any conviction or convictions subject to the requirements of FED. R. EVID. 609 be provided no later than the deadline set by the Court for the disclosure of discovery by the government or, if no order setting a deadline for the government's disclosure of discovery is entered, no later than fifteen (15) days before trial.

Dated and electronically filed this 11th day of July, 2022.

Respectfully submitted,

JASON J. TUPMAN
Federal Public Defender

By:

/s/ Matthew M. Powers

Matthew M. Powers, Assistant Federal Public Defender

Attorney for Defendant

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